

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

DEBORAH WALTON,)	
)	
Plaintiff,)	
)	
v.)	No. 1:18-cv-01784-JRS-DLP
)	
FIRST MERCHANTS BANK,)	
BRIAN HUNT, in his individual capacity,)	
MICHAEL RECHIN, in his individual)	
capacity,)	
)	
Defendants.)	

ORDER ON MOTION TO STRIKE

This matter comes before the Court on Defendant First Merchants Bank's Motion to Strike Plaintiff's Surreply (Dkt. 92). The motion has been referred to the Undersigned for a ruling.

I. Background

On January 28, 2019, the Defendants filed a Second Motion to Quash the depositions of Mark Hardwick and Brian Hunt (Dkt. 84). The Plaintiff filed a response brief on January 31, 2019, and the Defendants filed a reply on February 5, 2019. The Plaintiff then filed a surreply on February 6, 2019 (Dkt. 90), which prompted the present motion by the Defendants.

It is not the common practice of this Court to permit surreplies, S.D. Ind. Local Rule 7-1, and leave should be sought before the filing of any surreply. *Allianz Underwriters Ins. Co. v. B&M Plastics, Inc.*, 2001 WL 1029138 (S.D. Ind. June 13, 2001) (citing *Hurd v. Monsanto Co.*, 908 F.Supp. 604, n. 10 (S.D. Ind. 1995)). Here,

the Plaintiff did not seek leave of the Court prior to filing her surreply and, therefore, the surreply was improperly filed.

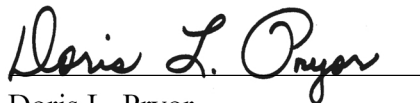
II. Conclusion

Defendant First Merchants Bank's Motion to Strike (Dkt. 92) is **GRANTED**. Docket No. 90 is **STRICKEN** from the record.

The Court's Local Rules concerning motions practice can be found at Local Rule 7-1. The Court again¹ cautions Ms. Walton that it expects compliance with that rule, which provides for a party to file only one motion and reply on any particular issue, and for only one response to be filed to each motion. Any future filings in this case that the Court deems to be duplicative of prior filings will be stricken.

So ORDERED.

Date: 2/20/2019

A handwritten signature in black ink, reading "Doris L. Pryor", is written over a horizontal line.

Doris L. Pryor
United States Magistrate Judge
Southern District of Indiana

¹ Ms. Walton has previously been warned about duplicative filings by Chief Judge Magnus-Stinson in 1:17-cv-1888-JMS-MPB, Docket No. 182 at page 10.

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